UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/609,001	06/28/2000	LISA HEILBRON	1018.091US1	1308

7590	03/30/2006	EXAMINER

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EXAMINER
DUONG, THOMAS

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 January 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Request for Continued Examination

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR

1.17(e) has been timely paid, the finality of the previous Office action has been

withdrawn pursuant to 37 CFR 1.114.

2.   Amendment received January 23, 2006 has been entered into record. *Claims 1-25*

remain pending.

Response to Amendment

3.   This office action is in response to the applicants Amendment filed on January 23, 2006.

Applicant amended *claims 1, 13, 22, and 25. Claims 1-25* are presented for further

consideration and examination.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of
making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
set forth the best mode contemplated by the inventor of carrying out his invention.

5.   *Claims 1, 13, 22, and 25* are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claim(s) contains subject matter,

. which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. The specification does not disclose *"fetching*

'contemporaneous' information" and *"'newly generated' historical relationship"* as

claimed. Please specify the location of the claimed language as disclosed in the

specification or clarify the language of the claim .

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

7.   *Claims 1, 13, 22, and 25* are rejected under 35 U.S.C. 102(e) as being anticipated by

Becker et al. (US006834372B1).

8.   With regard to *claims 1, 13, 22, and 25*, Becker discloses,

*   *fetching a current web page, the current web page including one or more links,*
    each link pointing to a web page; (Becker, col.1, line 66 – col.2, line 20; col.2,
    lines 37-42; col.2, line 56 – col.3, line 11; col.4, lines 20-27; col.7, lines 29-36,
    lines 58-59; col.8, lines 57-67; col.9, lines 30-65; col.11, lines 8-10; table 1)

Becker teaches *"the computer 104 in step 403 identifies each hyperlink in the current web page, and then proceeds to cross-reference the selected database 114 to identify characteristics of the data underlying each hyperlink, as obtained from one or more instances where the user previously selected the current hyperlink. In the illustrated example, step 403 utilizes the personal database 113. This step is an optional measure to enable the computer 104 to more quickly present its hyperlink report later, when the [user] passes the cursor over the displayed hyperlink"* (Becker, col.8, lines 58-67).

- *fetching contemporaneous information from each linked web page, the information regarding the web page to which each link points, wherein the information is stored separately from the current web page;* (Becker, col.1, line 66 – col.2, line 20; col.2, lines 37-42; col.2, line 56 – col.3, line 11; col.4, lines 20-27; col.7, lines 29-36, lines 58-59; col.8, lines 57-67; col.9, lines 30-65; col.11, lines 8-10; table 1)

Becker teaches *"the computer 104 in step 403 identifies each hyperlink in the current web page, and then proceeds to cross-reference the selected database 114 to identify characteristics of the data underlying each hyperlink, as obtained from one or more instances where the user previously selected the current hyperlink. In the illustrated example, step 403 utilizes the personal database 113. This step is an optional measure to enable the computer 104 to more quickly present its hyperlink report later, when the [user] passes the cursor over the displayed hyperlink"* (Becker, col.8, lines 58-67).

- *assembling relational information based on the contemporaneously fetched information from each linked web page and based on previously stored historical*

information, the relational information including at least one newly generated

historical relationship between the contemporaneously fetched information and

the previously stored information regarding a user of the client-side computer;

(Becker, col.1, line 66 – col.2, line 20; col.2, lines 37-42; col.2, line 56 – col.3, line

11; col.4, lines 20-27; col.7, lines 29-36, lines 58-59; col.8, lines 57-67; col.9,

lines 30-65; col.11, lines 8-10; table 1)

Becker teaches of *"presenting information representing various characteristics*

from past visits to the hyperlinked web site" (Becker, col.2, lines 40-42) in

response to the user's *"placement of a cursor over a hyperlink"* (Becker, col. 2,

line 3). Becker teaches of utilizing a database to *"[contain] information about the*

historical internet activities of the user of the computer" (Becker, col.4, lines 26-

27) and that *"each personal database provides historical hyperlink access*

information for one or more users of a particular computer" (Becker, col.7, lines

29-31). According to Becker, *"the computer 104 in step 403 identifies each*

hyperlink in the current web page, and then proceeds to cross-reference the

selected database 114 to identify characteristics of the data underlying each

hyperlink, as obtained from one or more instances where the user previously

selected the current hyperlink. In the illustrated example, step 403 utilizes the

personal database 113. This step is an optional measure to enable the computer

104 to more quickly present its hyperlink report later, when the [user] passes the

cursor over the displayed hyperlink" (Becker, col.8, lines 58-67). In addition,

"such characteristics may include, for example, the data's size, date of last

download, expired or "under construction" status of web site, errors occurring

during the download, etc." (Becker, col.2, lines 14-17). Hence, Becker teaches of

a method *"to present historical information about hyperlinks shown on the web page"* (Becker, col.11, lines 8-9).

- *displaying the current web page; and,* (Becker, col.1, line 66 – col.2, line 20; col.2, lines 37-42; col.2, line 56 – col.3, line 11; col.4, lines 20-27; col.7, lines 29-36, lines 58-59; col.8, lines 57-67; col.9, lines 30-65; col.11, lines 8-10; table 1)

- *displaying an informational region, in response to a cursor hovering over a particular link of the one or more links, the region including the contemporaneous information previously fetched regarding the web page to which the link points and the relational information previously assembled.* (Becker, col.1, line 66 – col.2, line 20; col.2, lines 37-42; col.2, line 56 – col.3, line 11; col.4, lines 20-27; col.7, lines 29-36, lines 58-59; col.8, lines 57-67; col.9, lines 30-65; col.11, lines 8-10; table 1)

Becker teaches of *"[presenting] a data-packed report of various useful characteristics from the user's past visit(s) to that web site"* (Becker, col.2, lines 60-61) *"in a pop-up window or 'bubble'"* (Becker, col.9, line 66) *"when the [user] passes the cursor over the displayed hyperlink"* (Becker, col.8, lines 66-67). In addition, *"such characteristics may include, for example, the data's size, date of last download, expired or "under construction" status of web site, errors occurring during the download, etc."* (Becker, col.2, lines 14-17).

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   _Claims 1-25_ are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown

(US006405192B1) and in view of Becker et al. (US006834372B1).

11.   With regard to _claims 1, 13, 22 and 25_, Brown reference discloses,

- _fetching a current web page, the current web page including one or more links,_

  each link pointing to a web page; (Brown, col.2, lines 15-17; col.6, line 20; col.6,

  line 66 – col.7, line 2; module 610, fig.6; module 720, fig.7A)

  Brown teaches of _"[retrieving] a web page for presentation to a user. While the_

  web page is being presented,... the web page is parsed for a set of links to a set

  of linked web pages and that set of linked pages are retrieved" (Brown, col.2,

  lines 17-20) from their respective locations.

- _fetching contemporaneous information from each linked web page, the_

  information regarding the web page to which each link points, wherein the

  information is stored separately from the current web page; (Brown, col.2, lines

  15-17; col.6, line 20; col.6, line 66 – col.7, line 2; module 610, fig.6; module 720,

  fig.7A)

  Brown teaches of _"[retrieving] a web page for presentation to a user. While the_

  web page is being presented,... the web page is parsed for a set of links to a set

  of linked web pages and that set of linked pages are retrieved" (Brown, col.2,

  lines 17-20) from their respective locations.

- _displaying the current web page; and,_ (Brown, col.2, lines 15-17; col.6, line 20;

  col.6, line 66 – col.7, line 2; module 610, fig.6; module 720, fig.7A)

Brown teaches of *"[retrieving] a web page for presentation to a user. While the web page is being presented,... the web page is parsed for a set of links to a set of linked web pages and that set of linked pages are retrieved"* (Brown, col.2, lines 17-20) from their respective locations.

However, Brown does not explicitly teaches,

- *assembling relational information based on the contemporaneously fetched information from each linked web page and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer;*

- *displaying an informational region in response to a cursor hovering over a particular link of the one or more links, the region including the contemporaneous information previously fetched regarding the web page to which the link points and the relational information previously assembled.*

Becker teaches,

- *assembling relational information based on the contemporaneously fetched information from each linked web page and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer;* (Becker, col.1, line 66 – col.2, line 20; col.2, lines 37-42; col.2, line 56 – col.3, line 11; col.4, lines 20-27; col.7, lines 29-36, lines 58-59; col.8, lines 57-67; col.9, lines 30-65; col.11, lines 8-10; table 1)

Becker teaches of *"presenting information representing various characteristics*

from past visits to the hyperlinked web site" (Becker, col.2, lines 40-42) in

response to the user's *"placement of a cursor over a hyperlink"* (Becker, col. 2,

line 3). Becker teaches of utilizing a database to *"[contain] information about the*

historical internet activities of the user of the computer" (Becker, col.4, lines 26-

27) and that *"each personal database provides historical hyperlink access*

information for one or more users of a particular computer" (Becker, col.7, lines

29-31). According to Becker, *"the computer 104 in step 403 identifies each*

hyperlink in the current web page, and then proceeds to cross-reference the

selected database 114 to identify characteristics of the data underlying each

hyperlink, as obtained from one or more instances where the user previously

selected the current hyperlink. In the illustrated example, step 403 utilizes the

personal database 113. This step is an optional measure to enable the computer

104 to more quickly present its hyperlink report later, when the [user] passes the

cursor over the displayed hyperlink" (Becker, col.8, lines 58-67). In addition,

"such characteristics may include, for example, the data's size, date of last

download, expired or "under construction" status of web site, errors occurring

during the download, etc." (Becker, col.2, lines 14-17). Hence, Becker teaches of

a method *"to present historical information about hyperlinks shown on the web*

page" (Becker, col.11, lines 8-9).

- *displaying an informational region, in response to a cursor hovering over a*

  particular link of the one or more links, the region including the contemporaneous

  information previously fetched regarding the web page to which the link points

  and the relational information previously assembled. (Becker, col.1, line 66 –

col.2, line 20; col.2, lines 37-42; col.2, line 56 – col.3, line 11; col.4, lines 20-27;

col.7, lines 29-36, lines 58-59; col.8, lines 57-67; col.9, lines 30-65; col.11, lines

8-10; table 1)

Brown teaches of *"[presenting] a data-packed report of various useful*

characteristics from the user's past visit(s) to that web site" (Becker, col.2, lines

60-61) *"in a pop-up window or 'bubble'"* (Becker, col.9, line 66) *"when the [user]*

passes the cursor over the displayed hyperlink" (Becker, col.8, lines 66-67). In

addition, *"such characteristics may include, for example, the data's size, date of*

last download, expired or "under construction" status of web site, errors occurring

during the download, etc." (Becker, col.2, lines 14-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Becker with the teachings of

Brown reference to *"avoid the time consuming pitfalls of selecting certain hyperlinks"*

(Becker, col.3, lines 12-13) (i.e. links of expired web pages or undesirable

characteristics) as pointed out by Becker. This *"ultimately helps computer users*

improve their time efficiency while utilizing the Internet" (col.3, lines 13-15) as well as

reduce the overall Internet traffic by avoiding undesirable links. According to Becker,

"beneficially, whenever a user place the cursor near a hyperlinked web site, the

invention conveniently presents a data-packed report of various useful

characteristics from the user's past visit(s) to that web site" (Becker, col.2, lines 58-

61).

12.   With regard to *claims 2-4, 14 and 23*, Brown and Becker disclose,

- *wherein displaying the informational region comprises displaying the informational region by the link.* (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user.

- *wherein the method is such that a user is able to retrieve the information regarding the web page without selecting the link and committing to downloading the web page.* (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user. Furthermore, *claim 3* is contradicting with the independent *claim 1* because *claim 1* calls for *"fetching information regarding the web page to which each link points"* and *"the region including the information previously fetched regarding the web page to which the link points and the relational information previously assembled"* whereas claim 3 specifies that the *"information regarding the web page [is retrieved] without selecting the link and committing to downloading the web page"*.

- *wherein the informational region comprises a text box apparently floating near the link.* (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link.

The desired information is related to the user through the configured criteria

defined by the user.

13.   With regard to *claims 5-12*, Brown and Becker disclose,

- *wherein the information regarding the web page includes at least one of:*

   keywords of the web page; paragraph headings of the web page; links on the

   web page to other web pages. (Brown, col.2, lines 15-21; col.6, lines 20-27;

   col.9, lines 2-11)

   Brown teaches of positive preferences (or criteria) that may relate to content, key

   words, date of creation, author, etc. The web pages associated with the links

   from the first web page are parsed for these criteria and the results are presented

   to the user.

- *wherein the information regarding the web page includes at least information*

   regarding whether the link is broken. (Brown, col.8, lines 22-37)

- *further comprising disabling the link in response to determining that the web page*

   includes content that a user is not allowed to view. (Brown, col.8, lines 48-54)

14.   With regard to *claims 15-21 and 24*, Brown and Becker disclose,

- *wherein fetching the information regarding the web page to which each link*

   points comprises retrieving the information from a server on which the

   information is stored. (Brown, col.2, lines 15-17; col.6, lines 21-27)

   Brown teaches of parsing the retrieved web page for a set of links to other web

   pages and retrieving those web pages from their respective locations.

- *wherein fetching the information regarding the web page to which each link*

  points comprises retrieving the information from a local cache in which the

  information is stored. (Brown, col.11, lines 45-55)

  Brown teaches of retrieving the information from the cache.

Response to Arguments

15.   Applicant's arguments with respect to *claims 1, 13, 22, and 25* have been considered but

they are found not persuasive.

16.   With regard to <u>*claims 1, 13, 22, and 25*</u>, the Applicants point out that:

- *Significantly, Brown and Becker do not teach or suggest the concept of fetching*

  contemporaneous information and generating a new historical relationship based

  on both the newly fetched contemporaneous information and previously stored

  historical information.

However, the Examiner finds that the Applicants' arguments are not persuasive

because Becker teaches of *"presenting information representing various*

characteristics from past visits to the hyperlinked web site" (Becker, col.2, lines 40-

42) in response to the user's *"placement of a cursor over a hyperlink"* (Becker, col. 2,

line 3). Becker teaches of utilizing a database to *"[contain] information about the*

historical internet activities of the user of the computer" (Becker, col.4, lines 26-27)

and that *"each personal database provides historical hyperlink access information for*

one or more users of a particular computer" (Becker, col.7, lines 29-31). According

to Becker, *"the computer 104 in step 403 identifies each hyperlink in the current web*

page, and then proceeds to cross-reference the selected database 114 to identify

characteristics of the data underlying each hyperlink, as obtained from one or more

instances where the user previously selected the current hyperlink. In the illustrated

example, step 403 utilizes the personal database 113. This step is an optional

measure to enable the computer 104 to more quickly present its hyperlink report

later, when the [user] passes the cursor over the displayed hyperlink" (Becker, col.8,

lines 58-67). In addition, *"such characteristics may include, for example, the data's*

size, date of last download, expired or "under construction" status of web site, errors

occurring during the download, etc." (Becker, col.2, lines 14-17). Hence, Becker

teaches of a method *"to present historical information about hyperlinks shown on the*

web page" (Becker, col.11, lines 8-9).

17.   With regard to *claims 1, 13, 22, and 25*, the Applicants point out that:

- *Becker, however, does not teach accessing the web page to which the hyperlink*

    is pointing. Furthermore, Becker cannot distinguish between historical

    information and contemporaneous information and thus cannot generate any

    new information based on these two sets of information.

However, the Examiner finds that the Applicants' arguments are not persuasive

because according to Becker, *"the computer 104 in step 403 identifies each*

hyperlink in the current web page, and then proceeds to cross-reference the selected

database 114 to identify characteristics of the data underlying each hyperlink, as

obtained from one or more instances where the user previously selected the current

hyperlink. In the illustrated example, step 403 utilizes the personal database 113.

This step is an optional measure to enable the computer 104 to more quickly present

its hyperlink report later, when the [user] passes the cursor over the displayed
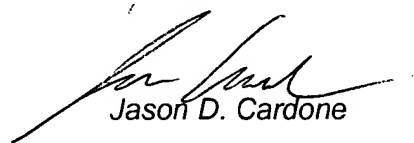
hyperlink" (Becker, col.8, lines 58-67). In addition, *"such characteristics may include,*

for example, the data's size, date of last download, expired or "under construction"

status of web site, errors occurring during the download, etc." (Becker, col.2, lines

14-17). Hence, Becker teaches of a method *"to present historical information about*

hyperlinks shown on the web page" (Becker, col.11, lines 8-9). Becker teaches in

table 1 of characteristics such as download time and errors, which are related to the

user's current session to the web page containing the hyperlinks.

Conclusion

18.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone

can be reached on 571/272-3933. The fax phone numbers for the organization where

this application or proceeding is assigned are 571/273-8300 for regular communications

and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)   Jason D. Cardone

March 24, 2006   *Supervisory PE (AU2145)*